

REMARKS/ARGUMENTS

Claims 1-27 are pending in the application. In the Office Action, claims 1-3, 7-8, 16-18, 20-22, 24, 26, and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Raj et al. (U.S. Patent Application No. 2002/0154354 A1, hereinafter "Raj") in view of Mori et al. (U.S. Patent No. 6,711,314 B1, hereinafter "Mori"); claims 4-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Raj in view of Mori and further in view of Hui et al. (U.S. Patent No. 6,438,148 B1, hereinafter "Hui"); and claims 19 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Raj in view of Mori and further in view of Pepper (U.S. Patent No. 6,760,512 B2, hereinafter "Pepper"). Claim 6 was objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claims 9-15 and 25 were also allowed. Applicant respectfully traverses the above rejections.

Allowable Subject Matter

Applicants thank the Examiner for the indication of allowable subject matter for claims 6, 9-15, and 25.

Claim Rejections

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Raj in view of Mori. Applicant respectfully traverses the rejection.

Raj is not directed towards time-dividing an optical signal by bending the signal with a time-dividing device at a time slot corresponding to the receiver so that the receiver can receive the bent optical signal. Rather, Raj is directed towards sending wavelength division multiplex signals to processors using a wavelength division multiplexer 13. *See Raj*, par. 15. Each processor 12 transmits data at its own assigned wavelength. The receivers are locked into one inbound wavelength to receive data from that wavelength for a period of time. *See Raj*, par. 16. Accordingly, Raj does not disclose or suggest bending the optical signal with a time-dividing device at a time slot corresponding to the receiver so that the receiver can receive the bent optical signal. Rather, Raj discloses locking onto a wavelength for a period of time to

receive that signal. Accordingly, Applicants respectfully submit that Raj does not disclose or suggest analogous technology to that discussed with respect to claim 1.

Even so, the rejection as described for Raj and Mori do not disclose or suggest every element of claim 1. The rejection states that Raj discloses a process of communicating with other processors over a known time slot at page 2, par. 23. Applicants submit that this paragraph discusses encoding data on multiple wavelengths. Also, when two or more processors 12 want to communicate with another processor 12 at the same time, the processors resolve the contention using a code associated with the wavelength. For example, a unique code at a known wavelength is transmitted. Within a given time slot, the processors sweep through the known wavelengths associated with each of the other processors. When an optical receiver identifies a match of a code and wavelength, a transmit-receive pair is established. The optical receiver is then locked to that wavelength until the transmission is complete. *See Raj*, par. 24. Thus, Raj is directed towards sending multiple signals at the same wavelength during the same time slot. This does not disclose or suggest time-dividing an optical signal by bending the signal with a time-dividing device at a time slot corresponding to the receiver so that the receiver can receive the bent optical signal. Rather, the optical signals are sent at a known wavelength with the unique code. The unique code is used to determine which receiver should receive the information.

The rejection also states that Raj is not expressly clear as to the nature of the optical signal in the plurality of sections corresponding to time slots and how they relate to receivers. However, Mori were cited as disclosing a MEMS switch that operates according to a time-division MEMS pair-wise connection as well as a timing diagram of a control switching method. Applicants respectfully traverse the rejection. Applicants submit that Mori does not disclose or suggest an optical signal that is time-divided for a receiver by bending the signal with a time-dividing device at the time slot corresponding to the receiver so that the receiver can receive the bent optical signal. Mori discloses after establishing the optical path, the control values may need to be changed because of the occurrence of a temperature drift of the circuits, characteristic changes of the mirrors, etc. *See Mori*, col. 15, lines 22-31. The angles are

corrected in a time-division manner where certain regions are corrected in different time slots. *See Mori*, col. 15, lines 31-36. Applicants submit that *Mori* discloses a correction of mirror angles in order to account for various changes that have happened for the optical path connections. These changes may be performed in different time slots. For example, all the optical paths within the same region are adjusted during a first controlling period and optical paths for a second region that may then be adjusted in a second controlling period. *See Mori*, col. 10, lines 38-48. Thus, *Mori* does not disclose or suggest an optical signal that is time-divided for a receiver by bending the signal with a time-dividing device at a time slot corresponding to the receiver so that the receiver can receive the bent optical signal. Rather, optical paths are adjusted during different time slots, but the optical paths are still sent to the same receiver.

Accordingly, the combination of *Raj* and *Mori* do not disclose or suggest every element of claim 1. *Raj* is directed towards wavelength division multiplexing of signals to processors and *Mori* is directed towards adjusting the control values for existing optical paths. Thus, the combination of *Raj* and *Mori* may send signals using a wavelength division multiplexing technique where existing paths may be adjusted when variations in control values occur. These optical paths continue to be sent to the same receivers. This is vastly different than allocating a number of time slots corresponding to a plurality of receivers and bending an optical signal with a time-dividing device at a time slot corresponding the receiver so that the receiver can receive the bent optical signal where the bent optical signal includes information just for the receiver.

Accordingly, Applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-8 and 24 depend from claim 1 and thus derive patentability at least therefrom.

Applicants submit that claims 16 and 20 should be allowable for at least a similar rationale as discussed with respect to claim 1. Claims 17-19 and 26 depend from claim 16 and claims 21-23 and 27 depend from 20 and thus derive patentability at least therefrom. Accordingly, Applicants respectfully request withdrawal of the rejections.

Appl. No. 10/020,310
Amdt. dated October 7, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2633

PATENT

CONCLUSION

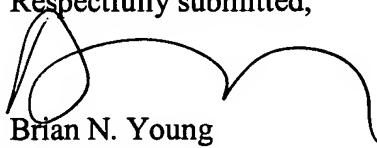
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Date:

10/10/05


Brian N. Young
Reg. No. 48,602

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
BNY:jtc
60582745 v1